

## CHARTER ORDINANCE NO. 200

A CHARTER ORDINANCE AMENDING SECTION 5 OF CHARTER ORDINANCE NO. 192 OF THE CITY OF WICHITA, KANSAS, PERTAINING TO RESTRICTIONS ON TRANSFERS OF STOCK IN CORPORATIONS LICENSED AS SECONDHAND DEALERS, AND REPEALING THE ORIGINAL OF SAID SECTION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1: Section 5 of Charter Ordinance No. 192 of the City of Wichita, Kansas, is hereby amended to read as follows:

SECTION 5. Transfer of Stock by Stockholder of Corporate Licensee; Effect.

Except as hereinafter provided in this section, it shall be unlawful for any shareholder of a corporate licensee to transfer any stock in said corporation to any person who would be ineligible to receive a license as an individual, and any such transfer shall be null and void. Provided, that if any such stockholder of a corporate licensee shall become deceased, and his or her heirs or devisees to whom said stock descends by descent and distribution or by will shall be ineligible to receive a license hereunder, then the legal representatives of said deceased stockholders estate, his or her heirs and devisees shall have fourteen (14) months from the date of the death of said stockholder within which to sell said stock to a person eligible to receive a license hereunder, with the provisions of the probate code and any amendments thereto. If said legal representatives, heirs and devisees shall fail, refuse or neglect to so convey said stock within the time herein before prescribed, then said stock shall revert to and become the

property of the corporation for which the corporation shall pay to said legal representatives, heirs or devisees the book value of such stock. If the stock in any corporation shall be the subject of any trust heretofore or hereafter created, the trustee or trustees and the beneficiaries of each trustee and beneficiary of said trust who is twenty-one (21) years of age or older must be a person who would be eligible to receive a license, or the trustee shall be and he is hereby authorized and required, within fourteen (14) month after the effective date of the trust, to sell said stock to a person eligible to receive a license under this ordinance, and he/she shall hold and disburse the proceeds thereof in accordance with the terms of the trust or the license of the corporation shall be forfeited. During the fourteen (14) month periods herein before mentioned, a corporation shall not be denied a license or have its license revoked if it meets all of the other requirements necessary to have a license as provided by this act. The prohibitions and restrictions which this section imposes on stock transfers to a stockholder who would not be eligible to receive a license as an individual shall not apply with respect to stocks that are publicly traded on the national or regional stock exchanges or through the NASDAQ system.

SECTION 2. The original of Section 5 of Charter Ordinance No. 192 of the City of Wichita, Kansas, is hereby repealed.

SECTION 3. This ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

SECTION 4. This is a charter ordinance and shall take effect sixty-one days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the

ordinance as provided in Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective if approved by a majority of the electors voting thereon.

PASSED BY THE GOVERNING BODY not less than two-thirds of the members elect voting in favor thereof, this 26th day of October, 2004.

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CARLOS MAYANS, Mayor

ATTEST: (Seal)

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KAREN SUBLETT,  
City Clerk

Approved as to Form:

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GARY E. REBENSTORF,  
Director of Law